

**HOUSE OF REPRESENTATIVES**  
**Roll Call**  
**LOCAL GOVERNMENT COMMITTEE**

DATE: 2/8/07

<u>NAME</u>	<u>PRESENT</u>	<u>ABSENT/ EXCUSED</u>
CHAIRMAN ELSIE ARNTZEN	/	
REP. WAYNE STAHL, VICE CHAIR	/	
REP. BRADY WISEMAN, VICE CHAIR	/	
REP. DUANE ANKNEY	/	
REP. MARK BLASDEL	<del>/</del>	/
REP. BOB EBINGER	/	
REP. WANDA GRINDE	/	
REP. BETSY HANDS	/	
REP. PAT INGRAHAM	/	
REP. HAL JACOBSON	/	
REP. BILL JONES	.	
REP. DEBORAH KOTTEL	/	
REP. GARY MACLAREN	/	
REP. BILL NOONEY	/	
REP. JESSE O'HARA	/	
REP. DIANE SANDS	/	

---

## COMMITTEE FILE COPY

### TABLED BILL

The **HOUSE LOCAL GOVERNMENT COMMITTEE** TABLED HB 367, HB 535, by motion, on **Thursday, February 8, 2007.**



(For the Committee)



(Chief Clerk of the House)

8:20 / 2/9  
(Time) (Date)

February 8, 2007

Pamela E. Schindler, Secretary

Phone: 444-4607

---



## HOUSE STANDING COMMITTEE REPORT

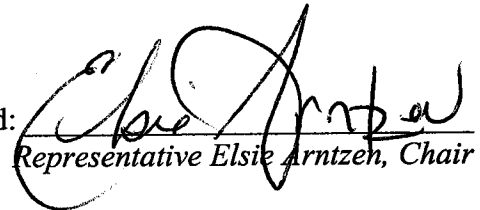
February 9, 2007

Page 1 of 3

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 235** (first reading copy - white) do pass as amended.

Signed:

  
Representative Elsie Arntzen, Chair

And, that such amendments read:

1. Title, page 1, line 5.

**Following:** "PROMOTION,"

**Insert:** "AND"

**Strike:** ", AND SALES"

2. Title, page 1, line 7.

**Following:** "PURPOSE;"

**Insert:** "ALLOWING CLASSIFICATION CRITERIA TO BE USED IN ASSESSING COSTS;"

3. Title, page 1, line 8.

**Following:** "7-12-1111,"

**Insert:** "7-12-1121, 7-12-1132,"

4. Page 1, line 20.

**Following:** "promotion,"

**Insert:** "and"

**Strike:** ", and sales"

5. Page 1, line 29 and 30.

**Strike:** ", including" on line 29 through "7-12-1102" on line 30

**Insert:** "of providing overnight stays at lodging facilities"

6. Page 2, line 3.

Committee Vote:

Yes 15, No 1

Fiscal Note Required \_\_\_\_

mp 2/9

290812SC.hjd

**Insert: "Section 3.** Section 7-12-1121, MCA, is amended to read:

**"7-12-1121. Board of trustees -- appointment -- number -- term of office.** (1) When the governing body of a local government adopts an ordinance creating a business improvement district, the appointing authority, with the approval of the governing body, shall appoint not less than five or more than seven owners of property, or their assignees, within the district to comprise the board of trustees of the district. The membership of a board of trustees for a business improvement district created for the purpose of 7-12-1102(4) must include the director of a nonprofit convention and visitors bureau, as defined in 15-65-101, if a nonprofit convention and visitors bureau is operating within the governing body's jurisdiction.

(2) The number of members of the board, once established, may be changed within these limits from time to time by subsequent resolutions of the governing body of the local government. A resolution to reduce board membership may not require resignation of any member prior to completion of his the member's appointed term.

(3) Three of the members who are first appointed must be designated to serve for terms of 1, 2, and 3 years, respectively, from the date of their appointments, and two must be designated to serve for terms of 4 years from the date of their appointments. For a seven-member commission, there must be two additional appointments for terms of 2 years and 3 years, respectively.

(4) After initial appointment, members must be appointed for a term of office of 4 years, except that a vacancy occurring during a term must be filled for the unexpired term. A member ~~shall hold~~ holds office until ~~his the member's~~ successor has been appointed and qualified.""

**"Section 4.** Section 7-12-1132, MCA, is amended to read:

**"7-12-1132. Annual budget and work plan -- approval -- procedure -- tax.** (1) At a time determined by the governing body, the board shall submit to the governing body for approval a work plan and budget for the ensuing fiscal year.

(2) A board created for the purpose of 7-12-1102(4) in a municipality or county where a nonprofit convention and visitors bureau, as defined in 15-65-101, is operating shall consult with the nonprofit convention and visitors bureau in developing a work plan and budget for the ensuing fiscal year.

~~(2)~~ (3) Following public notice that a work plan and budget have been submitted and that the governing body will levy an assessment to defray the cost of the work plan and budget, the governing body shall hold a public hearing on objections to the work plan and budget. After the hearing, the governing body may modify the work plan and budget as it considers necessary and appropriate.

~~(3)~~ (4) After approval of the work plan and budget and to defray the cost ~~thereof~~ of the work plan and budget for the next

fiscal year, the governing body shall by resolution levy an assessment upon all of the property in the district using as a basis one of the methods prescribed in 7-12-1133.

~~(4)~~(5) A copy of the resolution ~~shall~~ must be delivered to the treasurer of the local government to be placed on the tax roll and collected in the same manner as other taxes."

**Renumber:** subsequent section

7. Page 2, line 6.

**Following:** "options"

**Insert:** "-- provisions for property classifications"

8. Page 2, line 27.

**Strike:** "or"

**Insert:** "(f) if the governing body determines that benefits derived by each lot or parcel are disproportional, the governing body may use classification criteria, such as location within the district, economic impact, or any other measurable criteria, in conjunction with methods of assessing fees outlined in this subsection (2). Each classification must have its own rate. There may not be more than six classifications upon which a charge is imposed."

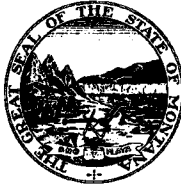
**Renumber:** subsequent subsection

9. Page 2, line 29.

**Strike:** "(2)(e)"

**Insert:** "(2)(f)"

- END -



## HOUSE STANDING COMMITTEE REPORT

February 9, 2007

Page 1 of 1

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 433** (first reading copy -  
- white) **do pass**.

Signed: \_\_\_\_\_

*Representative Elsie Arntzen, Chair*

- END -

**Committee Vote:**

**Yes 16, No 0**

Fiscal Note Required \_\_\_\_\_

ump 2/9  
290814SC.hjd



## HOUSE STANDING COMMITTEE REPORT

February 9, 2007

Page 1 of 2

Mr. Speaker:

We, your committee on **Local Government** recommend that **House Bill 510** (first reading copy - white) do pass as amended.

Signed: \_\_\_\_\_

*Elsie Arntzen*  
Representative Elsie Arntzen, Chair

And, that such amendments read:

1. Title, page 1, line 4.

**Following:** "COUNCIL"

**Insert:** "OR A BOARD OF COUNTY COMMISSIONERS"

2. Title, page 1, line 6.

**Strike:** "SECTION"

**Insert:** "SECTIONS 7-12-2202 AND"

3. Page 1, line 9.

**Insert:** "Section 1. Section 7-12-2202, MCA, is amended to read:

"7-12-2202. **Apportionment of costs of maintaining lighting system.** (1) The cost of the maintenance and operating service to ~~said a lighting~~ rural improvement district may be apportioned among the various tracts of land within ~~said improvement the~~ district:

(a) in proportion to the assessed value of ~~said the~~ lands within ~~said improvement the~~ district, as determined by the board of county commissioners;

(b) by assessing the cost equally against each of the lots or parcels located within the district;

~~(b)(c)~~ at the option of ~~said the~~ board and as determined by ~~said the~~ board, in proportion to the lineal front footage of each tract, any part of which is in the district and abuts the street or roadway along which the lighting system is to be maintained; or

~~(c)(d)~~ in proportion to the area, as determined by ~~said the~~ board, of that portion of each tract included in the district.

(2) (a) Before the first Monday of September of each year, the board shall pass and finally adopt a resolution levying and

Committee Vote:

Yes 16, No 0

Fiscal Note Required \_\_\_\_\_

*MP* 2/9  
290815SC.hjd

assessing upon all the property within the district an amount equal to the whole cost of maintaining ~~said~~ the lighting system. The ~~same shall levy and assessment must~~ be proportioned against the ~~several~~ tracts of land in ~~said~~ the district as provided in this part.

(b) ~~Said~~ The resolution levying assessments to defray the cost of maintenance ~~shall must~~ be prepared and certified to in the same manner as ~~near as may be to~~ a resolution levying assessments for making, constructing, and installing the improvements in ~~said special improvement districts~~ the district."

**Renumber:** subsequent section

- END -



# HOUSE OF REPRESENTATIVES

## Roll Call Vote

### LOCAL GOVERNMENT COMMITTEE

DATE 2/8/07 BILL NO. HB280 MOTION NO. 1  
 MOTION: De Pau

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. WAYNE STAHL, VICE CHAIR		/	
REP. BRADY WISEMAN, VICE CHAIR	/		
REP. DUANE ANKNEY	/	<del>/</del>	<del>/</del>
REP. MARK BLASDEL		/	/
REP. BOB EBINGER	/	<del>/</del>	
REP. WANDA GRINDE	/		
REP. BETSY HANDS	/		
REP. PAT INGRAHAM		/	
REP. HAL JACOBSON	/		
REP. BILL JONES		/	
REP. DEBORAH KOTTEL	/		
REP. GARY MACLAREN	/		/
REP. BILL NOONEY		/	
REP. JESSE O'HARA	/		
REP. DIANE SANDS	/		
CHAIRMAN ELSIE ARNTZEN		/	

10/6

# HOUSE OF REPRESENTATIVES

## Roll Call Vote

### LOCAL GOVERNMENT COMMITTEE

DATE 2/8/07 BILL NO. AB 433 MOTION NO. \_\_\_\_\_  
 MOTION: \_\_\_\_\_

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. WAYNE STAHL, VICE CHAIR	/		
REP. BRADY WISEMAN, VICE CHAIR	/		
REP. DUANE ANKNEY	/		
REP. MARK BLASDEL	/		
REP. BOB EBINGER	/		
REP. WANDA GRINDE	/		
REP. BETSY HANDS	/		/
REP. PAT INGRAHAM	/		
REP. HAL JACOBSON	/		
REP. BILL JONES	/		
REP. DEBORAH KOTTEL	/		
REP. GARY MACLAREN	/		
REP. BILL NOONEY	/		
REP. JESSE O'HARA	/		
REP. DIANE SANDS	/		
CHAIRMAN ELSIE ARNTZEN	/		

16 / 0

# HOUSE OF REPRESENTATIVES

## Roll Call Vote

### LOCAL GOVERNMENT COMMITTEE

DATE 2/8/07 BILL NO HB 510 MOTION NO. \_\_\_\_\_  
 MOTION: Do Pass As Amended

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. WAYNE STAHL, VICE CHAIR	/		
REP. BRADY WISEMAN, VICE CHAIR	/		
REP. DUANE ANKNEY	/		
REP. MARK BLASDEL	/		
REP. BOB EBINGER	/		
REP. WANDA GRINDE	/		
REP. BETSY HANDS	/		-
REP. PAT INGRAHAM	/		
REP. HAL JACOBSON	/		
REP. BILL JONES	/		
REP. DEBORAH KOTTEL	/		
REP. GARY MACLAREN	/		
REP. BILL NOONEY	/		
REP. JESSE O'HARA	/		
REP. DIANE SANDS	/		
CHAIRMAN ELSIE ARNTZEN	/		

16/0

# HOUSE OF REPRESENTATIVES

## Roll Call Vote

### LOCAL GOVERNMENT COMMITTEE

DATE 2/8/07 BILL NO. S35 MOTION NO. 2

MOTION: Table

<u>NAME</u>	<u>AYE</u>	<u>NO</u>	If Proxy Vote, check here & include signed Proxy Form with minutes
REP. WAYNE STAHL, VICE CHAIR	/		
REP. BRADY WISEMAN, VICE CHAIR	/		
REP. DUANE ANKNEY	/		
REP. MARK BLASDEL	/		/
REP. BOB EBINGER	/		
REP. WANDA GRINDE	/		
REP. BETSY HANDS	/		/
REP. PAT INGRAHAM	/		
REP. HAL JACOBSON	/		
REP. BILL JONES	/		
REP. DEBORAH KOTTEL	/		
REP. GARY MACLAREN	/		/
REP. BILL NOONEY	/		
REP. JESSE O'HARA	/		
REP. DIANE SANDS	/	/	
CHAIRMAN ELSIE ARNTZEN	/		

15/1

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the LOCAL COURT

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT                      AYE      NO

BILL/AMENDMENT                      AYE      NO

535 HB table	✓	
HB 367	✓	
AMEND TO 235	✓	
HB 235		✓
RECONSIDER HB 280		
Dolan HB 280	<div style="border: 1px solid black; border-radius: 50%; padding: 2px; display: inline-block;">                         S/BS ✓                     </div>	✓


Rep.                     

MARK

(Signature)

Blasdel

Date

# AUTHORIZED COMMITTEE PROXY

I request to be excused from the DUANE ANKNEY

Committee because of other commitments. I desire to leave my proxy vote with:

~~XXXXXXXXXX~~ ~~XXXXXXXXXX~~

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.


BILL/AMENDMENT

AYE NO

AMEND 235	✓	
HB 235	✓	
HB 280 DECONSIDER	✓	
HB 280	✓	

BILL/AMENDMENT

AYE NO


Rep.   
(Signature)  
Ankney

Date ~~XXXXXXXXXX~~

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the House Local Government

Committee because of other commitments. I desire to leave my proxy vote with:

Rep Wiseman or designee

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

BILL/AMENDMENT	AYE	NO	BILL/AMENDMENT	AYE	NO
HB 535 - Table	✓				
HB 367 - Table	✓				
HB 433 do pass	✓				
HB 510 do pass	✓				

Rep. Kathy H  
(Signature)

Date 2/8/07

**AUTHORIZED  
COMMITTEE PROXY**

I request to be excused from the local Government

Committee because of other commitments. I desire to leave my proxy vote with:

Indicate Bill number and your vote Aye or No. If there are amendments, list them by name and number under the bill and indicate a separate vote for each amendment.

**BILL/AMENDMENT**

AYE NO

**BILL/AMENDMENT**

AYE NO

HB 253	✓	
HB 280		✓
HB 235 AMEND	02	✓
HB 235 Amends	04	✓
HB 235 Amends	07	✓
<del>HB 235</del>	<del>07</del>	<del>✓</del>
HB 372 AMEND		✓
HB 426	✓	
HB 314 TABLE		✓
HB 535 iddo	✓	
HB 367	✓	
<del>HB 235</del>	✓	
HB 235 Dobson	✓	

[illegible]

Rep.

**(Signature)**

Date \_\_\_\_\_



# HOUSE OF REPRESENTATIVES

## Local Government Committee

### WITNESS STATEMENT

H.B. 524

#### PLEASE PRINT

NAME Walter E. Hill BUDGET \_\_\_\_\_

ADDRESS P.O. Box 565, Seeley Lake, MT DATE 8 Feb 07

WHOM DO YOU REPRESENT? Self + Community

SUPPORT: ☒ OPPOSE \_\_\_\_\_ AMEND ☒

#### COMMENTS:

The proposed bill is an excellent step in the right direction - to allow communities self governance. With a community like Seeley Lake, given the "pockets" of habitable space, a density of 150 inhabitants / square mile would be much more useful. It would be nice to create a community that would not have to use annexation to make the community complete.
Walter E Hill

Montana House of Representatives  
Visitors Register

LOCAL GOVERNMENT COMMITTEE

Date 2/8/07

Bill No. 524, 535 Sponsor(s) HAMILTON, FUREY

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Gayle Watson, Townsend	Self		<input checked="" type="checkbox"/>	

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

**Montana House of Representatives  
Visitors Register**

**LOCAL GOVERNMENT COMMITTEE**

Date 2/8/07

Bill No. 524, 535 Sponsor(s) Hamilton, Furey

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Dana Ticknor - 4910 <sup>Silver</sup> creek Rd	self		✓	535
ELI Ticknor <sup>in Helena</sup>	"		✓	535
Greg Ticknor	self		✓	535
Hannah Ticknor	Self		✓	535
Thomas Ticknor	Self		✓	535
Jacob Ticknor	"		✓	535
Mona Jamison	American <sup>PRODUCTS</sup> PROMO.		✓	535
Dick <del>Shelley</del>	FNF		✓	535
Susan Nelson <sup>GNFIS</sup>	Liberty Fireworks		✓	535
Jeff <del>Hugh</del>	last <del>Star</del> <del>Fireworks</del>		✓	535
Kerry <del>Hugh</del>	Last <del>Star</del> <del>Fireworks</del>		✓	535
Angela Bertalmo	Self		✓	535
BRUCE J. BERTALMO	Self		✓	535
Lorie Ryerson 51	Twisters Fireworks		✓	535
Kurt Ryerson 51	Twisters		✓	535
Jesse Haacke 51	Twisters		✓	535
MICHAEL W. MAEDER	BIG SKY PYROTECHNIC ASSOC.		✓	3634 535

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

5/8/07

Hamilton, FUKEN

254.232

**Montana House of Representatives  
Visitors Register**

**LOCAL GOVERNMENT COMMITTEE**

Date 2/8/07

Bill No. 524, 535 Sponsor(s) Hamilton, Furey

PLEASE PRINT

PLEASE PRINT

PLEASE PRINT

Name and Address	Representing	Support	Oppose	Inf.
Walter E Hill - Seeley Lake	Commonwealth	✓		✓
Roy D Rogers	Hong Kong HARRY		✓	535
Wendy Rogers C. Falls	Hong Kong Harry's		✓	535
Darrel Rogers Pablo	Hong Kong Harry's		✓	535
Deanna Rogers Pablo	HKN		✓	535
George REICHENBACH	REICHENBACH FIREWORKS		✓	535
Kerry Finley Kalispell	Evergreen Bus + Prop. Owners			544
John F. Peterson	For Mkt. Beehive Fireworks		—	535
Lorie Ryerson 51	Twisters Fireworks		—	535
Kurt Ryerson <sup>Whitaker</sup>	Twisters		—	535
Jesse Hatcher 51	Twisters Fireworks		—	535
Bradley May	Beehive Fireworks		—	535
Robert T Goffena	Self		✓	535
TODD REICHENBACH	Pyro Fly		✓	535
Vic Reichenbach	Reichenbach Pyro Works		✓	535
DAVID CHRISTENSEN	Self		✓	535
JOHN NIETSCHER	SHINING MTN FIREWORKS		✓	535

Please leave prepared testimony with Secretary. Witness Statement forms are available if you care to submit written testimony.

5/8/04

Hamilton, Frank

232, 232